

### UNANIMOUS CONSENT AGREEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent there now be up to 15 minutes of debate each for Senators SCHUMER, PAUL, CARDIN, LEE, and SULLIVAN; further, that the time be for debate only and upon the use or yielding back of their individual times, I be immediately recognized with no intervening action.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

### PAYCHECK PROTECTION PROGRAM

Mr. SCHUMER. Mr. President, well, in the month since I last addressed this Chamber, life for nearly every American has been upended. Stay-at-home orders have swept across the country. The monthly toll of new unemployment claims are measured in the millions. Our health system has been strained to the breaking point. American workers and businesses are suffering financial hardship not seen since the Great Recession. Almost 800,000 of our fellow citizens have tested positive for COVID-19. And most heartbreakingly, America has lost more than 37,000 precious lives to this coronavirus—many, many of them New Yorkers.

Over the past 2 months, the Senate has come together on three occasions to pass legislation in response to this multifaceted crisis, to rescue our ailing healthcare system, to cushion the blow to American workers and businesses, and to prepare our country for a more prosperous future on the other side of this pandemic.

Our last legislative effort, the CARES Act, was unprecedented in size and in scope—the largest stimulus in American history. Remarkably, on such a large and complex bill, the Senate came together 96-0 to pass this crucial emergency relief, getting ayes from Senator SANDERS to Senator CRUZ and everyone in between. It shows that, even with the partisanship here, as tough and harsh as it can be, we can come together unanimously in a time of great crisis.

Still, the depth of the crisis we now face meant that funding for certain programs in this bill had already been depleted, and a number of required fixes had to be made to make sure these programs worked as intended. An interim bill, COVID 3.5, is necessary.

Now, my friend, the Republican leader, tried to bypass negotiations on such an interim measure. He tried to jam through a bill that would have increased funding for one small business lending program but not others, when

they were all running out of funding. His proposal did not attempt to fix the dire lack of lending to small businesses that are truly small, underbanked, underserved, minority, or women-owned. His proposal included nothing at all for our healthcare system, nothing to address the national shortage in testing, nothing to help State, local, or Tribal governments who are breaking their budgets to fight this disease.

All of us want to help our small businesses—all of us—but this emergency demands we take action on many fronts. So we have spent the last week negotiating with the administration—Treasury Secretary Mnuchin, Chief of Staff Meadows, as well as Speaker PELOSI and House Democrats with us, the Senate Democrats, to improve the legislation. We reached a final agreement earlier today.

Now, there are plenty of disagreements between our parties these days, but once again, we are coming together to pass this legislation by unanimous consent—not a single Senator objected.

I want to thank Secretary Mnuchin. I spent hours and hours with him at all hours of the day. I want to thank someone I didn't know very well, Chief of Staff Meadows, who is very good at making sure an agreement can come to fruition, even in the wee hours of the morning. Of course, I want to thank my dear friend and partner, Speaker PELOSI. I want to thank Leaders MCCONNELL and MCCARTHY who, at the end of the day, did not let partisan disagreement stand in the way of doing what is right for this country.

Again, just like the CARES Act, the hard work of bipartisan negotiation paid off. The fact that Democrats said, You need to talk to us, not try to steamroll us, once again, made a huge and positive difference. This legislation is significantly better and broader than the initial proposal offered by the Republican leader.

Republicans asked us to funnel more money into a program that wasn't working the way it should. We negotiated a bill that not only provided support but made it more effective, more inclusive, and addressed other urgent national priorities as well. The legislation before us contains 220 billion more dollars, including funding for small businesses through community financial institutions, new funding for our hospitals and healthcare systems, and a substantial downpayment on a national testing regime so desperately needed and asked for by one and all.

Let me repeat that: The legislation now includes an additional \$220 billion, \$120 billion for small businesses, \$100 billion for our healthcare system, divided among healthcare providers and a need for testing and contact tracing.

The new money includes \$50 billion in additional emergency small business loans and \$10 billion in additional business grants. That includes \$60 billion in new funding set aside for small lenders. If you don't know a banker, if you are not a relatively large-sized company,

you were left out. Two out of three loans in New York were ignored. The mom-and-pops, the small businesses, the restaurants, and the barber shops, the hardware stores, the butchers, and small startups, both service and manufacturing, they couldn't get in. Now, they will be because of our work.

Our bill will help rural small businesses, minority small businesses, women-owned small businesses get the money they need. I believe every Member of our Caucus heard from businesses in their States who couldn't access Federal lending because they didn't have a prior relationship with a big bank.

So what we have done is set aside lending for smaller, community-based lenders and dedicated half of that funding—\$30 billion—to Community Development Financial Institutions and Minority Depository Institutions. We insisted that this money be separate from the competition with the bigger companies, so that moms-and-pops, restaurants and nail salons, startups, and minority businesses can get some access.

Unlike Leader MCCONNELL's proposal, this bill also includes \$100 billion in money to fight the coronavirus itself. We are not going to cure the economic problem unless we cure the health problem. We can give loans to small businesses, but if there are no customers walking the streets to go into their stores, what good is that?

So we insisted that \$75 billion go to our hospitals. Our hospitals are going underwater—certainly, the big ones in cities like mine that have an epicenter of corona, but smaller hospitals in rural areas. Talk to our rural representatives, and they are telling you their hospitals might go under. And medium-sized hospitals in New York State—St. Joseph's in Syracuse and St. Peter's in Albany—each laid off 700 people this week. They are going to get help because of what we did.

The experts are clear. To fight this disease and reopen the economy safely, we need to dramatically—dramatically—expand testing capacity and frequency. We don't have enough tests; that cry rings from one end of America to the other. It is urban, suburban, rural, north, east, south, and west; we don't have enough tests.

Well, now, help is on the way because Democrats stood and fought for it—\$25 billion, \$11 billion to go to the States to help them test and do the contact tracing they need, money to help create a manufacturing and supply chain that will have adequate tests and adequate supplies for those tests so we can finally get them going. We need them desperately.

One of the last provisions secured in these negotiations at midnight last night was a requirement that the administration report on a national strategic testing plan on how it plans to increase domestic testing capacity, testing supplies, and the disparities in all communities. Thus far, unfortunately,

the administration has refused to accept responsibility for the sorry state of testing in our country. Under this agreement, the Trump administration will now, at last, be required to report on what its national testing plan actually looks like. Congress provided the startup funds for the testing program. It is now up to the administration to prepare a national testing strategy and implement those funds to proper effect before it is too late.

Of course, this bill is not perfect. We are sorely disappointed Republicans refused to work with us to strengthen food assistance. I am sorely disappointed that Republicans turned a deaf ear to Governors, mayors, Tribal leaders, county and local officials, Democratic and Republican, all 50 Governors who have been pleading with the Federal Government for more help. And it is not about abstract government. I know we don't like government on the other side of the aisle. It is about policemen, firefighters, bus drivers, hospital workers. They are being laid off because the local governments and the State governments are starving and not getting their revenues. We fought and fought, but unfortunately, on the other side of the aisle, they resisted. I hope they won't resist in COVID 4. We are going to need a large, large amount of money to help our localities so those policemen, firefighters, and bus drivers are not laid off. Republicans need to come to the table and work with us to give our States the help they need. They should be eager to do it.

Secretary Mnuchin committed—and the President tweeted today—that they will support State and local funding in the next round of legislation, as well—and this is very important—as a provision providing flexibility to use all past and future relief dollars to offset lost revenue. The President signaled his support for this concept as well in a tweet this morning. We should have passed support for State and local governments. Democrats will see to it that it gets done in the next package.

Now, finally, I would remind my colleagues that this is an interim measure. There are plenty of hard-won provisions that we Democrats are pleased with, but it is, ultimately, a building block.

In the weeks ahead, Congress must prepare another major bill, similar in size and ambition to the CARES Act. The next bill must be big and bold and suited to the needs of a beleaguered country. State localities and Tribal governments need support, so does the Postal Service. Working Americans need rental assistance. Frontline workers deserve hazard pay, and it is not just doctors, nurses, pharmacists, and other medical workers, but truck drivers, grocery store clerks, police officers, firefighters, and more.

We must make sure that our elections this fall are conducted fairly, that States have enough money to run them properly, and that every Amer-

ican can exercise his or her constitutional franchise safely and confidently. This is a COVID-related issue.

So those issues and more will be priorities for the Senate Democratic Caucus in the next bill. Yes, it has been a long few months for the American people, but even now, there are signs that the sacrifices Americans have made are beginning to slow the spread of the disease. We are a long way from the end, but this, too, shall pass.

Until the day when we can begin to return to normal, it is up to Congress and the entire Federal Government to deliver the leadership and resources that only we can provide. The private sector will not provide the aid our Nation requires. The efforts of individual States or even individual citizens, heroic as they are, will not be enough. We dare not abandon them in these dark and difficult times.

The American people need their government. They need their government to act strongly, boldly, wisely. Let us do what we were elected to do and pass this bill today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

#### CORONAVIRUS

Mr. LEE. Mr. President, it is with a heavy heart that I come to the floor of the Senate today. Over the last few weeks, I talked to countless people throughout Utah and across the Nation, but especially in Utah, about the troubles that they have encountered, about the profound sadness that the American people are experiencing right now, the frustrations that they have. This is something that we have never seen in this country, not on this scale, not during our lifetimes.

My thoughts and prayers go out to my fellow Americans and my fellow Utahns as they are struggling to make ends meet, whether it is figuring out how to make payroll or keep food on the table at home or a combination of both, as it is for so many. I am mindful of them and of all the difficulty that the American people are going through right now.

I want to begin by echoing something that Senator SCHUMER said a moment ago. We need to do what we were elected to do. Now, I don't agree with everything Senator SCHUMER just said—in fact, I would strongly disagree with a lot of what he just said—but I do agree with that. We need to do the job we were elected to do.

Let's think about where we are right now and where we have been over the last few weeks. We have seen healthcare providers working 24 hours a day, 7 days a week. We have seen the President and his staff at the White House working 24 hours a day and 7 days a week. We have seen the Centers for Disease Control and members of the public health community who have continued to work tirelessly—farmers, truck drivers, grocery store employees,

and pharmacists working to make sure that we continue to have access to the things we need in order to live. We have seen members of the news media working overtime, even if, as is the case for many of them, they do so only to blame all of this—rather unfairly in my opinion—on the President of the United States. We have seen parents working both their jobs—both of them—from home and simultaneously home schooling their children; yet Congress is in recess. This, Mr. President, is simply unacceptable.

If COVID-19 requires Congress to act, then it requires Congress to convene. Now, look, I understand the need for distancing, and there are ways we can accommodate that here. Support staff can stay home. Policy experts can mostly work from home. Many of our meetings—most of them, in fact—can be conducted over the phone or by video conference. I have seen this myself in the last few weeks. I have been working as many hours as ever, just with a lot of meetings over the phone and through Zoom and platforms like that.

The meetings can continue, but all the essential work of Congress—that is, any steps necessary in order to enact legislation, the task of legislating itself—can be done only by Members who are voting and present in their respective legislative Chambers, either the Senate or the House of Representatives. This is a nondelegable duty. We can't delegate it to anyone else in government, and so we have got exactly two choices. We can choose to legislate, in which case we have to convene, or we can stay in recess and not legislate. Those really are the only two options.

It is no coincidence, it is no accident that the very first clause of the very first section of the very first article of the Constitution says that “all legislative Powers herein granted shall be vested in the Congress of the United States, which shall consist of a Senate and a House of Representatives.”

Article I, section 7 then goes on to prescribe the formula by which all Federal law will be enacted. This may happen only when the same discrete set of words presented in the form of a legislative proposal passes the House and the Senate and is then submitted to the President for signature or veto.

Under our constitutional system, under any definition of the term, Senators are essential employees. We are being paid. We have a crisis to continue to work through. Our services are necessary. In order to perform those services, we have to perform them here in Washington.

To be very clear about this, this isn't entirely a new thing. Sure, the most recent iteration of this is new and began when the COVID-19 crisis began about a month ago, but the fact is Congress has, in many respects, been shirking its responsibilities for years—for decades, in fact. For the better part of the last—I don't know—three, four,